

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PROCAPUI-PRODUTORES de CAMAROES de
ICAPUI LTDA.

Plaintiff,

07 Civil Action
File No. 6627-BSJ

v.

MARCIAL GERALD LAYANI, G. F. HIGGINS,
INC., THERESA HIGGINS, as Executrix of
THE ESTATE OF GERALD FRANCIS HIGGINS,
THOMAS HIGGINS, ROBERT HIGGINS,
RICHARD RUBIN and NOEL BLACKMAN,

Defendants.

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DECLARATION OF
MARCIAL
GERALD LAYANI

MARCIAL GERALD LAYANI, declares the following under penalty of
perjury under the laws of the United States of America:

1. I am the person named as a Defendant in the above action although I have not been served with any process nor have I appeared or otherwise waived service of process. No appearance or waiver of any kind is intended by signing this declaration.
2. I make this declaration on my own knowledge so the Court will know the facts regarding my residence and domicile.
3. I understand the Complaint in this action alleges that I am a citizen of the United States and a resident of the State of New York. This is only partly true. I *am* a citizen of the United States but I *am not* any longer a resident of New York

ML..

or of any other place in the United States. In July, 2001 I became a permanent
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resident of Brazil. I file my income tax returns in Brazil. I have moved out of my
home in the U.S. and no longer maintain any residence in the U.S. I have no plans
or present intention of returning to the U.S. to live. I have not visited the United
States since March, 2003 and, before that, not very often.

I declare under penalty of perjury under the laws of the United States of
America that the foregoing is true and correct.

Executed on August 13th, 2007



MARCIAL GERALD LAYANI

A handwritten signature in black ink, appearing to read "MARCIAL GERALD LAYANI". The signature is somewhat stylized and includes a flourish at the end.